

**Minutes of the December Monthly Meeting of Clare County Council held in
Glór, Ennis, Co. Clare on Monday, 14th December, 2020 at 3:45 p.m.**

Present:

Councillors M. Howard, M. Nestor, P. Murphy, A. Norton, P. Daly, J. Cooney, P. Hayes, P. Burke, A. O’Callaghan, J. Crowe, M. Begley, P.J. Ryan, P. McMahon, G. Flynn, D. McGettigan, P. O’Gorman, S. Talty, J. Killeen, J. Garrihy, S. Crawford, P.J. Kelly, B. Chambers, G. Keating, C. Murphy.

Attending remotely: Cllrs. J. Flynn, T. O’Brien and I. Lynch.

- Mr. Pat Dowling, Chief Executive.
- Ms. Ann Reynolds, Meetings Administrator.
- Ms. Margaret O’Rourke, Assistant Staff Officer.
- Ms. Anne Haugh, Director of Social Development.
- Mr. Liam Conneally, Director of Economic Development.
- Mr. Leonard Cleary, Director of Rural Development.
- Ms. Carmel Kirby, Director of Physical Development.
- Ms. Noeleen Fitzgerald, Director of Finance and Support Services.
- Mr. Seán Lenihan, Senior Engineer, Physical Development.
- Mr. Cyril Feeney, Senior Engineer, Physical Development.
- Mr. John Leahy, Senior Engineer, Physical Development.

Apologies: Cllr. C. Colleran Molloy.

The Cathaoirleach, Cllr. Mary Howard presided.

Vote of Sympathy.

At the outset a vote of sympathy was extended to the following:

- The Walsh family Ennis, on the death of Tania Walsh.
- The Hogan family, Ballyea on the death of Frank Hogan.
- The Leyden family, Kilnamona on the death of Tom Leyden.
- The French family, Kilmurry, Sixmilebridge on the death of John French.

Item 1: Minutes of Council Meetings.

a. Ar moladh Cllr. M. Nestor
Cuidithe ag Cllr. B. Chambers agus glacadh leis

“That the Minutes of the November Meeting of Clare County Council held on 9th November, 2020 be adopted and signed.”

b. Ar moladh Cllr. J. Cooney
Cuidithe ag Cllr. J. Crowe agus glacadh leis

“That the Minutes of the Statutory Budget Meeting of Clare County Council held on 27th November, 2020 be adopted and signed.”

Item 2: Matters Arising.

There were no matters arising.

Item 3: Minutes of Municipal District Meetings.

a. Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. P. Daly agus glacadh leis

“That the Minutes of the Ennis Municipal District Meeting held on the 6th October, 2020 be noted.”

b. Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. M. Nestor agus glacadh leis

“That the Minutes of the Ennis Municipal District Budget Meeting held on the 9th November, 2020 be noted.”

c. Ar moladh Cllr. P. Hayes
Cuidithe ag Cllr. A. O’Callaghan agus glacadh leis

“That the Minutes of the Killaloe Municipal District Meeting held on the 22nd July, 2020 be noted.”

d. Ar moladh Cllr. P. O’Gorman
Cuidithe ag Cllr. M. Begley agus glacadh leis

“That the Minutes of the Shannon Municipal District Meeting held on the 15th September, 2020 be noted.”

e. Ar moladh Cllr. D. McGettigan
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“That the Minutes of the Shannon Municipal District Budget Meeting held on the 10th November, 2020 be noted.”

Item 4: Minutes of S.P.C. Meetings.

a. Ar moladh Cllr. P. Hayes
Cuidithe ag Cllr. J. Crowe agus glacadh leis

“That the minutes of the Rural Development S.P.C. meeting held on 15th September, 2020 be noted.”

Item 5: Minutes of the Corporate Policy Group Meetings.

The members noted the minutes of the meeting held on 2nd November, 2020 as presented.

Item 6: Monthly Management Report.

The monthly management report attached to the agenda included key activities in the principal service areas and was noted by the members.

Cllr. J. Garrihy extended congratulations to the following:

- Clare Youth Action Group from Ennistymon, winners of the Pride of Place Awards 2020.
- Labasheeda Le Chéile who were runners up and
- Clare Community Action who were finalists in this competition.
- The Burren Eco Tourism Network winners of the Lonely Planet Best in Travel 2021 Award.

Cllr. P.J. Ryan extended congratulations to Mary Slattery on being awarded the Clare Older People’s Volunteer of the Year 2020.

Cllr. M. Begley welcomed improvement works at Larkins Cross/Gillogue Bridge due to commence shortly.

Item 7: Disposal of land to Ballina/Killaloe Tennis Club by lease agreement pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 11th November, 2020 from Carmel Greene, Senior Executive Officer, Economic Development was circulated with the agenda together with map. The report states that in April 2020 Clare County Council transacted a 25 year lease agreement with the Killaloe Ballina Tennis Club, on lands owned by Clare County Council at Bane’s Field, Killaloe. It was further agreed at the Killaloe Municipal District meeting held on 11th November, 2020 to increase the area from 0.5 ha to 0.65 ha to allow for emergency access to the club grounds.

Ar moladh Cllr. A. O'Callaghan
Cuidithe ag Cllr. P. Hayes agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal by means of a lease of lands at Killaloe, Co. Clare subject to the conditions as set out in the notice served on the members dated 11th November, 2020.”

Item 8: Disposal of plot of land at Clare Road, Ennis, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 1st December, 2020 from Carmel Greene, Senior Executive Officer, Economic Development was circulated with the agenda together with map. The report states that it is proposed to dispose of plot of land measuring 0.0060 hectares at Clare Road, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 1st December, 2020.

Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. P. Daly agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of plot of land at Clare Road, Ennis, Co. Clare subject to the conditions as set out in the notice served on the members dated 1st December, 2020.”

Item 9: Disposal of strip of land adjacent to Tullyvarraga Heights, Shannon, Co. Clare pursuant to Section 183 of the Local Government Act, 2001 and Section 211 of the Planning & Development Act, 2000.

Report dated 19th November, 2020 from Carmel Greene, Senior Executive Officer, Economic Development was circulated with the agenda together with map. The report states that it is proposed to dispose of strip of land measuring 0.0124 hectares adjacent to Tullyvarraga Heights, Shannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 19th November, 2020.

Ar moladh Cllr. J. Crowe
Cuidithe ag Cllr. D. McGettigan agus glacadh leis

“Notice having been served pursuant to Section 183 of the Local Government Act, 2001, Clare County Council approves pursuant to the powers vested on it at Section 211 of the Planning & Development Act, 2000 as amended, of disposal of strip of land adjacent to Tullyvarraga Heights, Shannon, Co. Clare subject to the conditions as set out in the notice served on the members dated 19th November, 2020.”

Item 10: Community Support Scheme 2021.

Report dated 4th December, 2020 from Bernadette Haugh, A/Senior Executive Officer, Rural Development was circulated with the agenda. The report states that the total Community Support Scheme fund for 2021 is €65,000.

Apart from additional supports for community playgrounds under Support Scheme (3), the Community Supports Scheme for 2021 remains unchanged from the 2020 Scheme.

The following are the Support Schemes for 2021:

1. Support Scheme for Public Area and Amenity Enhancement
2. Support Scheme for Community Development & Social Inclusion Measures and Measures to increase Participation in Sport or Physical Activities
3. Support Scheme for Community Playgrounds
4. Support Scheme for Burial Ground Maintenance and Provision
5. Support Scheme for Community Wifi
6. Support Scheme for the Best Kept Local Authority Estate
7. Support Scheme for the Arts
8. Support Scheme for the Irish Language
9. Support Scheme for Christmas Lighting
10. Support Scheme for Tourism Marketing & Promotion
11. Support Scheme for Sustainable Tourism
12. Support Scheme for Town/Village Paint Works

The Community Support Scheme 2021 was approved by the members present having been proposed by Cllr. P. Hayes and seconded by Cllr. J. Garrihy.

Item 11: Briefing by National Broadband Ireland.

Cathaoirleach, Cllr. M. Howard introduced Joe Lavin, Chief Commercial Officer for National Broadband Ireland and Billy Manley, Local Authority Liaison PM to the meeting via MS Teams.

Joe Lavin, Chief Commercial Officer for NBI addressed the meeting and briefed the members on the National Broadband Plan Project overview under the following headings:

- The National Broadband Plan
- Building a Future Proofed FTTH Network
- The benefits of high speed broadband
- General progress update
- National network
- Clare overview

- Clare County surveys in 2020/2021
- Broadband Connection Point update
- Stakeholder engagement

The elected members thanked the National Broadband Ireland personnel for attending.

Queries raised were addressed by Joe Lavin, Chief Commercial Officer for NBI and Billy Manley, Local Authority Liaison PM.

Item 12: Briefing by H.S.E. personnel on Covid 19 and Winter Planning.

Cathaoirleach, Cllr. M. Howard introduced Dr. Mai Mannix, Director of Public Health, Maria Bridgeman, Head of Service, Health & Wellbeing and Professor Brian Lenihan, Chief Clinical Director, UL Hospitals Group to the meeting via MS Teams.

Professor Brian Lenihan, Chief Clinical Director, UL Hospitals Group addressed the meeting and briefed the members on Covid 19 impact on UL Hospitals Group under the following headings:

- Impact of Covid 19 on unscheduled care
- Impact of Covid 19 on scheduled care
- ICU occupancy levels in UHL
- Impact of Covid 19 on staffing,
- Key changes since Covid 19
- Resumption of services: safe care and safe staff
- Winter Plan 2020/21
- Estimates 2021
- Capital Developments
- Challenges in relation to patient safety, staff fatigue/stress/exhaustion, increasing Covid 19 community transmission, resources to manage services changes, Winter 2020/21, balancing – bacteria/virus, breaking the transmission chain, industrial relations, waiting lists, resumption of services to 100% and managing expectations.

Maria Bridgeman, Chief Officer, H.S.E. Mid-West Community Healthcare provided a presentation on Covid 19 addressing the following issues:

- Covid 19 Mid-West Community Healthcare response
- Covid response support team
- Testing/swabbing
- Isolation facilities
- Personal protective equipment (PPE)
- Psychosocial support

- Winter plan
- Initiatives
- Challenges

Dr. Mai Mannix, Director of Public Health Mid-West provided an update of Covid 19 in the Mid-West:

- Number of confirmed cases
- Age profile of confirmed cases
- Outbreaks
- Public Health message over the Christmas period
- Covid vaccine

The elected members thanked the H.S.E. personnel for attending and for providing the regular updates during the Covid 19 pandemic.

Queries raised were addressed by Professor Brian Lenihan, Chief Clinical Director, UL Hospitals Group, Maria Bridgeman, Chief Officer, H.S.E. Mid-West Community Healthcare and Dr. Mai Mannix, Director of Public Health Mid-West.

Item 13: Official launch of “The Story of Clare and its People” A History of Local Government in Ireland’s Banner County 1570 – 2020 by Dr. Matthew Potter and Dr. John Treacy at 5:20 p.m.

Mr. P. Dowling, Chief Executive introduced the publication entitled “The Story of Clare and its People” A History of Local Government in Ireland’s Banner County 1570 – 2020. Mr. Dowling stated that after being appointed Chief Executive of Clare County Council in 2016 he became aware that Clare as an entity would be 450 years old in 2020 and decided it would be fitting to produce a history of local government in County Clare during that period in an effort to document and celebrate the relationship between Clare, its people and its local government systems. Mr. Dowling stated that three years of work has now come to fruition and he acknowledged all who played a role during that journey. Mr. Dowling thanked the project team comprising Mayor, Mary Howard, former Mayors Clare Collieran Molloy, Cathal Crowe, Michael Begley and Tom McNamara, Noel Crowley, former County Librarian, Helen Walsh, County Librarian, Mark Dunphy, Communications Officer and Chair, Willie Moloney, former Manager of Clare County Council. Mr. Dowling thanked Project Advisor, Dr. Joe Power and joint authors Dr Matthew Potter and Dr. John Treacy.

Item 14. Wastewater treatment plants for villages.

Ar moladh Cllr. J. Cooney
Cuidithe ag Cllr. M. Begley agus glacadh leis

“I call on Clare County Council give an update on progress of wastewater treatment plants for villages in the County that do not have same in light of the fact that it seems

to be progressively more difficult to achieve planning permission for the onsite wastewater treatment system even though site assessors recommend that sites are suitable in the countryside in order to revitalize our rural communities.”

Cyril Feeney, Senior Engineer, Physical Development Directorate submitted reply received from Irish Water as follows:

“Irish Water’s investment plan prioritises the need to support housing and development with our obligations to protect the environment. We are making real and tangible progress working with local communities to deliver critical infrastructure which has suffered from years of historic underinvestment. Since 2014 we have made considerable progress in removing 130 areas from the priority area list and have plans for the majority of the remaining 113 areas.

In Clare new public sewerage schemes are currently planned for Kilrush, Kilkee, Ballyvaughan, Liscannor and Clarecastle where there is untreated wastewater being discharged. The construction of new wastewater treatment infrastructure in Kilrush, Clarecastle and Liscannor are expected to commence in 2021, while we also expect to submit planning applications for the Ballyvaughan and Kilkee upgrades in 2021.

Once completed, this investment will help to improve water quality, enhance the area’s amenity value and act as a platform for social and economic development.

We are always striving to prioritise the best possible service improvements, while maximising value-for-money with funding available. Progress across a portfolio of projects has been slower than anticipated as we deal with an unprecedented level of statutory and planning issues. The list of projects and programmes is continuously being refined based on new and emerging needs and is subject to budget, technical and environmental constraints, as well as statutory approval. Delivering new infrastructure where it never existed presents a range of challenges - from competing investment priorities, to community support, to planning consents in addition to land acquisition which can take to up to two years for just one project.

Irish Water’s investment plan prioritises public health and safety by targeting agglomerations where there is no treatment for raw sewage or where the treatment is not in compliance with the EU Urban Wastewater Treatment Directive.

Irish Water is responsible for the public water and wastewater network. Funding to develop and maintain these systems is allocated with the approval of Commission for Regulation of Utilities. It is important to note that Irish Water has no statutory role where there is currently no network.

Further upgrade(s) may also be progressed under Irish Water’s Small Towns and Villages Growth Programme. Irish Water has begun a process of consultation with the Local Authorities to identify and plan for appropriate projects in each Local Authority area. This process is ongoing and will continue over the coming months. We expect that final decisions on investments will be made under this programme on a staggered basis from Q1 2021 onwards.”

Cllr. J. Cooney welcomed the news that public sewerage schemes are currently planned for Kilrush, Kilkee, Ballyvaughan, Liscannor and Clarecastle and expressed disappointment at the lack of planned wastewater systems for small villages and rural parts of County Clare. Cllr. Cooney vowed to continue to work to secure infrastructure for these villages in order to zone land for sustainable development.

The elected members supported Cllr. J. Cooney and raised concern in relation to the regeneration of villages in Ballycannon Heights, Meelick, Carrigaholt, Labasheeda, Doolin and Broadford due to the lack of wastewater treatment facilities. The elected members referred to the line in the reply from Irish Water which stated that “It is important to note that Irish Water has no statutory role where there is currently no network” and expressed unease in relation to this.

Item 15. Paint re-use scheme.

Ar moladh Cllr. D. McGettigan
Cuidithe ag Cllr. S. Crawford agus glacadh leis

“I call on Clare County Council to bring the "paint re-use scheme" to Clare.

This is a relatively new scheme which aims to divert paint from disposal or incineration and to provide if possible an affordable, good quality paint for reuse in the local community or to be reused through the councils maintenance department.”

Cyril Feeney, Senior Engineer, Physical Development Directorate replied as follows:

“This initiative is being supported by the Local Authority Prevention Network (LAPN) and two projects have commenced recently in Cork and Dublin. We will contact Cork County Council to develop a better understanding of how the system operates and examine the feasibility of introducing a similar scheme in County Clare.”

Cllr. D. McGettigan stated that 50% of paint being disposed is still useable and outlined the damage caused by improperly disposing of paint.

Item 16. Dog fouling.

Ar moladh Cllr. J. Crowe
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

“That Clare County Council carry out a blitz on dog fouling throughout the county by employing extra wardens on a short-term basis and to work them through the municipal districts.”

Cyril Feeney, Senior Engineer, Physical Development Directorate replied as follows:

“We have continually promoted dog owner responsibility throughout the year through the Clare Echo newspaper, social media channels and ground awareness campaigns. Dog fouling is the responsibility of dog owners. We currently have 7 No. warden staff authorised under the litter pollution Act which deals with the prosecution of dog fouling. In response to this motion, we will authorise an additional 3 No. Dog control staff under the Act to help address this problem throughout the Municipal Districts.”

Cllr. J. Crowe stated that dog fouling is a nationwide problem and that dog owners are not taking responsibility. Cllr. J. Crowe requested that Clare County Council

undertake an awareness campaign and carry out a county wide blitz when the additional warden staff are appointed.

The elected members in supporting Cllr. J. Crowe felt that the dog owners who do not take responsibility should be named and shamed. It was also agreed that compliant dog owners should be supported and encouraged.

Item 17. Active and Sustainable Travel Officer.

Ar moladh Cllr. P. Murphy
Cuidithe ag Cllr. A. Norton agus glacadh leis

"I am proposing that Clare County Council applies to the Department of Transport and Climate for funding in order to employ an active and sustainable travel officer so that alternatives to the dependency on cars can be worked on. The role would also include modal shift, behavioural change and designing for the active mobility of people of all ages and abilities who have a right of access to our public streets."

John Leahy, Senior Engineer, Physical Development replied as follows:

"We note the content of the motion. Clare County Council is committed to promoting and delivering active and sustainable travel. However, the matter of staffing for local authorities requires the sanction of the Department of Housing, Local Government and Heritage and all staff matters in Clare County Council must be consistent with our Workforce Plan."

Cllr. P. Murphy submitted the following amendment, which was seconded by Cllr. A. Norton and agreed by the members present.

"That Clare County Council call on the Minister for Transport, Climate, Environment and Communication to provide specific funding to all local authorities in order to create a role for an active and sustainable travel officer so that alternatives to the dependency on cars can be worked on. The role would also include modal shift, behavioural change and designing for the active mobility of people of all ages and abilities who have a right of access to our public streets."

Cllr. P. Murphy stated that infrastructure should be improved in order to provide safe access to all walkers and cyclists. Cllr. Murphy outlined the potential environmental, health and community benefits this would achieve and requested that this amended resolution be circulated to other local authorities and Clare Oireachtas Members. This was agreed by the elected members present.

Item 18. Insurance costs of community projects.

Ar moladh Cllr. P.J. Kelly
Cuidithe ag Cllr. P.J. Ryan agus glacadh leis

"That the Council take over the insurance costs of community projects which were partly funded by the Council."

Leonard Cleary, Director of Rural Development replied as follows:

“The Rural Directorate is aware of escalating insurance costs and difficulties experienced by Community Groups in sourcing insurance cover. This matter has been under review and a model to support Community Groups is currently being prepared for consideration by Management Team following the adoption of Budget 2021. The Elected Members will be updated on the model shortly. This may commence as a pilot for playground insurance rather than wider community facilities.”

Cllr. P.J. Kelly outlined difficulties being experienced by community groups due to the cost of insurance cover and stated that some facilities have closed as a result. The elected members supported Cllr. P.J. Kelly and requested that all playgrounds be integrated into the model being prepared as community groups have been unable to carry out fundraising events this year.

P. Dowling, Chief Executive addressed the meeting and stated that the Rural Development Directorate are preparing a model to support Community Groups and that the Council will work with all groups when developing this model as this initiative was embraced during the budget process.

Item 19. Time schedule for meetings.

Ar moladh Cllr. G. Keating

Cuidithe ag Cllrs. J. Killeen, P. O’Gorman, P. McMahon, P. Burke, M. Begley, J. Garrihy, C Murphy, P.J. Kelly, P.J. Ryan, G. Flynn, J. Crowe, P. Daly, P. Murphy, M. Nestor, J. Cooney, T. O’Brien, B. Chambers agus C. Collieran Molloy agus glacadh leis

“To request Standing Orders Committee to review time schedule for meetings taking all circumstances into consideration with a view to having morning meetings.”

Ann Reynolds, A/Senior Executive Officer, Corporate Services replied as follows:

“The executive is agreeable to facilitating a change in time of statutory meetings of the Council subject to consideration of the standing orders committee and subsequent agreement of the full Council. A meeting of the Standing Orders Committee will be convened in January to consider this matter and a recommendation can then be submitted to the Council for approval.”

The elected members agreed that this should be discussed by the Standing Orders Committee. They also agreed that it is important to be cognizant of that fact that not all members can potentially attend morning meetings as some occupations cannot facilitate this.

Cllr. I. Lynch stated that he could not support this proposal as he cannot attend morning meetings due to work commitments and he also felt that members of the public may not be in a position to attend morning meetings.

P. Dowling, Chief Executive stated that this is a matter for the elected members and that the Council executive will facilitate meetings at the time agreed after deliberations.

Item 20. Remote public accessibility to Statutory meetings.

Ar moladh Cllr. J. Flynn

Cuidithe ag Cllr. C. Murphy agus glacadh leis

“Members of the public have with interest read recent press & media pieces about the use of technology resulting in remote accessibility & participation being made available to elected members to Monthly Statutory Clare council meetings.

In the interest of democratic engagement by the public in Local Government I ask that Clare County Council give consideration to allow remote public accessibility to view/listen to public Monthly Statutory Clare County Council meetings by secure technology such as a web link.”

Noeleen Fitzgerald, Director of Finance and Support Services replied as follows:

“The Council is committed to the principles of participation, trust, accountability and transparency and in providing as much public access as possible to Council meetings. A small number of local authorities in Ireland currently broadcast their Council meetings and other public meetings over the Internet – termed webcasting. Webcasting of meetings involves the recording and streaming of video and audio content, as well as the creation of an archive of footage that can be accessed at any time, from any place, after the event.

Some of the options for web casting of meetings include:

- Public-I is the major player in the British & Irish market specialising in streaming council meetings. Public-I provide a remote managed service for streaming Live meetings and access to previous meetings online. An example is available at <https://fingalcoco.public-i.tv/core/portal/home>. Covid-19 has introduced another layer of complexity with a hybrid meeting, allowing a combination of physical presence of some participants while others are connected using VC.
- Video conferencing : Teams live events
<https://docs.microsoft.com/en-us/microsoftteams/teams-live-events/what-are-teams-live-events>
- Social media video channels: A number of councils have stream events using YouTube or other social media Channels.

All of the above would require a major upgrade to the technology in the council chamber to provide high quality stream. It is, therefore, suggested that a more detailed consideration of the broadcast options available, cost estimates of same and the practical procedures and protocols is required. If this motion is agreed Corporate Services and IT will work together to develop a proposal for presentation to the Standing Orders Committee for further consideration.”

The elected members in supporting Cllr. J. Flynn agreed that the general public would benefit from access to Council meetings and Civic Receptions as this transparent process could increase engagement with the wider public. The elected members welcomed the advances in technology used by Clare County Council in recent months

and noted that delegations can now be heard within a shorter timeframe. It was also noted that the press carry out an excellent portrayal of the undertakings at Council meetings.

It was agreed that this would be discussed by the Standing Orders Committee.

Item 21. Wind energy development.

Ar moladh Cllr. C. Murphy

Cuidithe ag Cllr. J. Garrihy agus glacadh leis

“That;

i) given the increasingly contentious nature of recent windfarm planning applications,
ii) the current Wind Energy Development guidelines our planning department are operating under date from 2006,

iii) the Clare wind energy strategy has not been amended since 2011 and itself uses the 2006 guidelines as reference, and

iv) given the process for developing the new County Development Plan has begun, Clare County Council request the Department of Housing, Local Government and Heritage update the Wind Energy Development guidelines immediately.

Furthermore, given the recent environmental disaster at the Meenbog Windfarm development in Co Donegal, despite a comprehensive EIAR being undertaken on behalf of the developer, Clare County Council include as a matter of urgency the recommendation that

a) all Environmental Impact Assessment Reports and Noise Impact Studies would be designed, undertaken and commissioned on behalf of the environment and proximate communities by the local planning authority, instead of by the developers and

b) that the developers would pay the local authorities to undertake these reports.”

Liam Conneally, Director of Economic Development replied as follows:

“The Department of Housing, Planning and Local Government issued a Circular letter reference PL 21-13 to local authorities in December 2013 advising that local authorities should defer amending development plan policies in relation to wind energy as part of the Development Plan making process. Instead it was advised that local authorities should operate their existing development plan policies and objectives until the review of the Wind Energy Development Guidelines 2006 was complete and new Wind Energy Guidelines issued. This continues to be the advice of the Department as reaffirmed in Circular Letter reference PL 5/2017.

In December 2019 the Department issued Draft Wind Energy Guidelines for consultation and Clare County Council made a submission in January 2020. The date for issuing of the final Wind Energy Guidelines has not been provided however it is anticipated it will be in the coming months. The wind energy policies of the County Development Plan will be reviewed as part of the preparation of the new Clare County Development Plan 2022-2028 should the new guidelines be issued within the timeline for preparing the new plan.

In respect of your recommendation that Local Authorities carry out expert reports on behalf of private development proposals this is not appropriate as the planning authority must remain independent in carrying out its statutory planning functions.”

Cllr. C. Murphy outlined concerns due to the failure of national Government to update guidelines for proper planning and sustainable development of windfarms and provided reasons why updated guidelines are required as a matter of urgency. Cllr. Murphy clarified that he did not recommend that local authorities carry out expert reports on behalf of private developments, but he felt that the local authorities should carry out reports on behalf of communities and the environment which should be paid for by the developer. Cllr. Murphy stated that there is a defect in commercial development of windfarms and that developer led projects should not be designing and paying for the technical, social and environmental impact data that permits them to proceed.

The elected members agreed that Wind Energy Development Guidelines need to be updated and outlined the impact windfarm developments are having on local communities.

Cllr. J. Flynn declared his interest in wind energy and excused himself from this discussion.

Item 22. Water sport and recreation.

Ar moladh Cllr. I. Lynch
Cuidithe ag Cllr. P. Burke agus glacadh leis

“As the only country to have water on all four sides I request that Clare County Council undertake a feasibility study to identify key areas and infrastructure improvements to maximise water sport and recreation potential through the county. The output of the study should look to identify how best to combine and maximise the resources with our border counties to achieve project delivery.”

Anne Haugh, Director of Social Development replied as follows:

“It is acknowledged that Clare’s location on the Atlantic seaboard and bounded to the east by the Shannon generates significant added value to the recreational offering in the County. While this potential was noted in the Joint Recreational Strategy that was developed by Clare and Limerick local authorities in 2013 no specific actions emerged from that process.

More recently however, the National Sports Policy 2018-2027 proposes the following at Action 8:

‘We [DTTAS] will establish, through Sport Ireland, an initiative to support Local Authorities in developing Local Sports Plans consistent with the overall vision and objectives of this National Sports Policy. The Local Plan will review needs and set out actions to increase participation locally. It will be developed and implemented in cooperation with LSPs, clubs, communities and partners within and beyond sport.’

It is anticipated that the development of these Sports Plans will involve a comprehensive analysis of the current sports and recreational opportunities in the county including the very attractive water sports potential with a view to putting in place a plan with clear actions to be implemented across all sporting disciplines.

Clare Sports Partnership will be a key resource in the development of this Sports Plan and the exercise will require significant engagement with all the stakeholders including adjoining local authorities and the relevant agencies involved in water sports and recreational activities.

A direction from Sport Ireland to commence these Sports Plans is currently awaited as well as the Terms of Reference and anticipated funding to enable delivery of this action.”

Cllr. I. Lynch stated that it is vital that a strategy be devised and that Clare County Council should be pro-active and lead on this project. The elected members present supported Cllr. I. Lynch on this initiative and agreed that local facilities and amenities are very important assets and should be supported.

Item 23. Commercial rates.

Ar moladh Cllr. P. McMahon
Cuidithe ag Cllr. A. O’Callaghan agus glacadh leis

“In view of the increasing popularity of online shopping and the recent department circular regarding commercial rates, I will ask the Chief Executive to outline the likely impact on Council finances and his plans to address this over the next decade.”

Noleen Fitzgerald, Director of Finance and Support Services and Liam Conneally, Director of Economic Development replied as follows:

“As the impact on businesses became apparent in the early days of the pandemic, many businesses had to radically reassess how they delivered products and services to their customer base. Just under 400 businesses (at time of writing) in Clare have availed of the Trading Online Voucher scheme to develop and/or enhance their online sales capability representing an investment of just under €1m by Clare County Council in supporting local businesses in Clare to trade online.

There is a strong desire among our communities to support local businesses however this has been challenging where a local business does not have an online presence. The Trading Online Voucher scheme has addressed this issue and many local businesses are advising that their trading performance has surpassed what they would normally experience through traditional physical sales channels.

Commercial Rates income as referenced in the recent Ministers correspondence is the backbone of local authority income and essential for the delivery of local services. In Clare County Council commercial rates income of €42.1m forms 32% of the council annual revenue budget of €131m in 2021. Local Retail properties representing €2.2m (5% of the 2021 commercial rates budgeted income).

There is an increase in online activity internationally, nationally but also locally with a number of our Clare business successively moving to having an online presence both pre COVID-19 and in recent months as a result of the restrictions on businesses opening to the public. These businesses have been supported through this process by our Local Enterprise Office (LEO) through grant schemes for the creation of an online presence. Antidotal evidence from businesses is that the hybrid retail model of both an on street and online presence successful, in using the online presence as an effective marketing tool.

Online retail is one of the competitions facing the retail sector, economic challenges, local competition and other factors are also competing factors in business success. As a local Authority our plans to support the success of retail in our towns and villages

centres on our plans in developing Public Realm works through URDF schemes, Town and Village Schemes, Strategic Development Plans such as the Ennis 2040 plan, Shannon Town Master Plan and Failte Ireland Destination town works amongst others. All of these initiatives will make these areas more attractive to visit and shop.

The support of our businesses through the promotion of the county as a tourism destination, the support of festival and events are other areas within our annual actions to support the physical presence of retail in our county.”

Cllr. P. McMahon stated that rates income is an important element of local authority income and delivery of services. Cllr. P. McMahon informed the meeting that many local businesses have had to review how they deliver services and products in recent months and outlined how many local businesses have adjusted by creating an online presence. Cllr. P. McMahon encouraged people to support local businesses.

The elected members present supported Cllr. P. McMahon and complimented Clare County Council on how it has dealt with rates in the county this year.

Item 24. Clare Autism Strategy.

Ar moladh Cllr. S. Crawford

Cuidithe ag Cllr. A. Norton agus glacadh leis

"That Clare County Council lead the way and adopt a Clare Autism Strategy".

The strategy has potential for Clare to be the Autism Hub of Europe that will put the County to the fore attracting innovation and expertise in research, policy development and practice applications especially in electronics, engineering, education and tourism.

The plan will include the following priorities:

1. Autism awareness and understanding: across all local amenities and tourism attractions/businesses
2. Accessibility: Communication, information and advocacy
3. Health and Wellbeing: Adaptations to physical and social infrastructure
4. Employability: Access and opportunity to attain skills, qualifications and employment.”

Cllr. S. Crawford re-iterated the potential and the benefits for Clare to become the Autism Hub of Europe. She stated that Clare could lead the way in Europe in terms of infusing autism practices in our strategies and by providing sensory places and communication tools at tourism locations.

The elected members present in supporting Cllr. S. Crawford agreed that not every disability is visible and that facilities should accommodate the needs of people with autism.

P. Dowling, Chief Executive thanked Cllr. S. Crawford for her progressive work in this area and stated that he would put an inhouse committee together who will work with external agencies to start this process.

Item 25. Proceeds of crime legislation.

Ar moladh Cllr. A. Norton
Cuidithe ag Cllr. C. McGettigan agus glacadh leis

“Requesting that Clare County Council write to the Ministers for Justice, Finance and Public Expenditure to make provisions where drug and drug trafficking monies confiscated under the Proceeds of Crime Legislation be redirected from central coffers back into local addiction services, youth organisations, and community initiatives to combat the effect of addiction on our communities, and that the necessary legislation is changed as a matter of urgency to allow this vital funding support to happen.”

The elected members supported Cllr. A. Norton on this issue and agreed that the proceeds of drug trafficking monies should go back into the public domain to support the rehabilitation and support people who need help to recover from addiction.

Item 32. Minimise the spread of Covid 19 virus.

Ar moladh Cllr. J. Killeen
Cuidithe ag Cllr. S. Talty agus glacadh leis

“We acknowledge the effort of all those in our County who abided by the stringent precautions, often at great cost to themselves in social, emotional, financial terms during the first 9 months of the Covid 19.

We acknowledge the efforts of our front line workers, local authority Covid Response, media outlets and all of those who put themselves out to inform and help others in practical terms.

We call on the people of County Clare to redouble the effort to minimise the spread of the virus during the Christmas Holidays.”

The Councillors present were unanimous in supporting Cllr. J. Killeen on this and encouraged people to follow public health advice.

Cathaoirleach, Cllr. M. Howard advised that the time had reached 5:20 p.m. and the official launch of “The Story of Clare and its People” A History of Local Government in Ireland’s Banner County 1570 – 2020 by Dr. Matthew Potter and Dr. John Treacy would now take place.

Cllr. P.J. Ryan proposed that Items No. 26 – 31 be deferred to the January 2021 meeting. This was seconded by Cllr. A. O’Callaghan and agreed by the members present.

Item 34. Comhfhreagras.

Correspondence.

The following correspondence was circulated with the agenda:

1. Thank you from President Higgins’ Office.
2. Acknowledgement from Minister Darragh O’Brien, T.D., Minister for Housing, Local Government and Heritage.

3. Correspondence dated 2nd November, 2020 from Martina Rynne, Clare Services Manager, Brothers of Charity Services Ireland in relation to resumption of day services and respite care for service users with disabilities in Co. Clare.
4. Correspondence dated 6th November, 2020 from Colette Cowan, Group Chief Executive, UL Hospitals in relation to restrictions in maternity hospitals.
5. Correspondence dated 9th November, 2020 from the Department of Transport regarding driving licences for old age pensioners.
6. Correspondence dated 6th November, 2020 from the Department of Transport in relation to driving tests.
7. Correspondence dated 25th November, 2020 from the Minister for Agriculture, Food and the Marine in relation to maintaining Irish Market Share in the UK supermarket sector post Brexit.
8. Correspondence dated 27th November, 2020 from the Department of Health in relation to covid 19 restrictions.
9. Correspondence dated 25th November, 2020 from the Department of Housing, Local Government and Heritage in relation to rent pressure zone.
10. Correspondence dated 1st December, 2020 from the Department of Housing, Local Government and Heritage in relation to putting in place enhanced measures to counteract anti-social behaviour.
11. Correspondence dated 12th November, 2020 from the H.S.E. in relation to National haemochromatosis screening programme.
12. Correspondence dated 12th November, 2020 from the Department of Health in relation to a national screening plan for haemochromatosis.
13. Correspondence dated 16th November, 2020 from the H.S.E. in relation to National haemochromatosis screening programme.
14. Correspondence dated 11th November, 2020 from the Office of the Minister for Foreign Affairs and Minister for Defence in relation to maintaining Irish Market Share on UK supermarket shelves post Brexit.
15. Correspondence dated 12th November, 2020 from the Department of Health in relation to the closure of gyms under the Covid 19 restrictions.
16. Correspondence dated 11th November, 2020 from the Department of Justice in relation to gambling legislation.
17. Correspondence dated 13th November, 2020 from the Department of Finance in relation to Rural Post Offices.
18. Correspondence dated 16th November, 2020 from the Department of Environment, Climate and Communication in relation to Rural Post Offices.
19. Correspondence dated 12th November, 2020 from the Department of Transport in relation to post office network.
20. Resolution circulated by Sligo County Council in relation to the post office network.

21. Resolution circulated by Carlow County Council in relation to Mother and Baby Homes.
22. Resolution circulated by Galway County Council in relation to Mother and Baby Homes.

Conferences.

Reports on Seminars/Conferences attended.

With regard to seminars/conferences attended, reports completed in accordance with Section 142 of the Local Government Act 2001 were made available at the meeting.

AILG training “Moorhead Report – Briefing for elected members” taking place in Thurles on 6th August, 2020.

The Meetings Administrator informed the Members that the estimated average cost per Councillor attending this Conference was €321.86 including conference fee of €5.

It was agreed that Cllr. P. Murphy attend this Conference.

The meeting then concluded.

Signed: _____
Riarthóir Cruinnithe

Signed: _____
Cathaoirleach

Date: _____